

COUNTY OF SULLIVAN INDUSTRIAL DEVELOPMENT AGENCY

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RECONVENED MEETING MINUTES

Monday, December 17, 2018

I. CALL TO ORDER

Chairman Steingart opened the reconvened regular meeting of the County of Sullivan Industrial Development Agency at approximately 11:11 AM, in the Legislative Hearing Room at the Sullivan County Government Center, 100 North Street, Monticello, NY 12701.

II. ROLL CALL

Members Present-

Ira Steingart
Sean Rieber
Joseph Perrello
Carol Roig
Edward Sykes
Scott Smith

Members Absent-

Suzanne Loughlin
Howard Siegel
Paul Guenther

Staff Present-

Jennifer Flad, Executive Director
Julio Garaicoechea, Project Manager

Staff Absent-

Cassandra Egan, Administrative Assistant

Others Present-

Luis Alvarez, Chairman of the Sullivan County Legislature
Joshua Potosek, Sullivan County Manager
Heather Brown, Sustainability Coordinator, Sullivan County Office of Sustainable Energy
Patricio Robayo, *Sullivan County Democrat*
Matthew Nanci, *Times Herald Record*
Rich Klein
Gerald Orseck
Ken Walter

III. APPROVAL OF MEETING MINUTES

On a motion made by Mr. Sykes and seconded by Mr. Smith, the Board voted, and the minutes of the November 19, 2018 regular meeting were unanimously approved.

IV. BILLS AND COMMUNICATIONS

Mr. Garaicoechea handed out a revised schedule of payments. Mr. Sykes made a motion to approve the revised schedule of payments. Mr. Perrello seconded the motion, the Board voted, and the schedule of payments were unanimously approved.

V. STAFF REPORT

There were no comments.

VI. NEW BUSINESS

The Board reviewed and discussed resolutions authorizing the extension of the Sales Tax Abatement Period for the following projects through and including June 30, 2019:

- **Empire Resorts Real Estate I, LLC.**
- **EPT Concord II, LLC.**
- **Montreign Operating Company, LLC.**
- **Rock Meadow Partners, LLC.**
- **Villa Roma Resort & Conference Center, Inc.**

Mr. Garaicoechea noted that these projects were current with respect to filing of reports and fees. Mr. Rieber made a motion to approve the extensions. Mr. Perrello seconded the motion, the Board voted, and the resolutions were unanimously approved.

The Board reviewed and discussed a resolution authorizing the Agency to provide funding to the **Partnership for Economic Development in Sullivan County, Inc.** for the Fourth Quarter of 2018. Mr. Sykes made a motion to approve. Ms. Roig seconded the motion, the Board voted, and the resolution was unanimously approved.

VII. EXECUTIVE SESSION

On a motion made by Mr. Smith and seconded by Mr. Sykes, the Board entered Executive Session at approximately 11:15AM to discuss pending litigation against the Agency involving the **Veria Lifestyle, Inc.** project.

On a motion made by Mr. Rieber and seconded by Ms. Roig, the Board came out of Executive Session at 11:54AM.

VIII. NEW BUSINESS

The Board discussed and reviewed a resolution authorizing the extension of the Sales Tax Abatement Period for the **Veria Lifestyle, Inc. (Infrastructure)** project through and including June 30, 2019. Mr. Smith made a motion to amend the resolution to extend the sales tax abatement period through and including February 15, 2019. Mr. Sykes seconded the motion, the Board voted, and the revision to the resolution was adopted. Mr. Sykes made a motion to approve the resolution as amended. Ms. Roig seconded the motion, the Board voted, and the revised resolution was unanimously approved.

Attorney Garigliano informed the Board that a Mechanics Lien has been filed against the Veria Lifestyle, Inc. property with the Agency and **Veria Lifestyle, Inc** as parties. He requests the Board authorize the Executive Director and General Counsel to engage Special Counsel to represent the Agency in this matter. Mr. Smith made a motion to approve. Mr. Sykes seconded the motion, the Board voted, and the motion was unanimously approved.

Heather Brown, Sustainability Coordinator for the Sullivan County Office of Sustainable Energy gave a presentation on **Community Choice Aggregation**. The Board reviewed and discussed a resolution authorizing the Agency to work with the County of Sullivan to develop a model Community Choice Aggregation Agreement. Mr. Perrello made a motion to approve the

resolution. Mr. Sykes seconded the motion, the Board voted, and the resolution was unanimously approved.

The Board reviewed and discussed a resolution to authorize the execution and delivery of a Mortgage and related financing documents in favor of Cross River bank in an amount not to exceed \$1,500,00 relating to the **Center One Holdings, LLC.** project. Mr. Perrello made a motion to approve the resolution. Mr. Sykes seconded the motion, the Board voted, and the resolution was unanimously approved.

The Board reviewed and discussed a resolution to appoint **Forestburgh Hospitality, LLC.** and **Forestburgh Property, LLC.** as Agent of the Agency. Ms. Flad summarized the comments received at the public hearing for this project. Mr. Perrello asked how many employees the project would create. Attorney Garigliano stated that the project will create 20-25 seasonal jobs. He further noted that there will be improvements to the real property for the permanent structures. Mr. Perrello expressed that he was not in favor of providing abatements for campground projects. Mr. Smith made a motion to approve. Mr. Rieber seconded the motion, the Board voted, and the resolution was approved with Mr. Smith, Mr. Rieber, Mr. Steingart, Mr. Sykes and Ms. Roig in favor, and Mr. Perrello opposed.

The Board reviewed and discussed a resolution to authorize, approve, and consent to the extension of **Deb El Food Products, LLC's** authority to act as Agent of the Agency, authorize an amended and restated Agent and Project Agreement, authorize the amendment of transaction documents, and authorize the Chief Executive Officer and/or Chairman to execute the transaction documents. Mr. Sykes made a motion to approve the resolution. Mr. Perrello seconded the motion, the Board voted, and the resolution was unanimously approved.

The Board discussed a proposed assignment of the **Bloomington Housing Associates LP** project to **Tiv Leviiov, LLC.** Attorney Garigliano and the Board discussed that the Agency would ask the proposed assignee for information on its principals, experience, and financials, in accordance with the usual procedures, before considering the proposed assignment. Mr. Rieber asked if the project intends to maintain its obligations as a Senior Housing project. Attorney Garigliano replied that it is his understanding that the project will still be a Senior Housing project.

IX. ADJOURN

On a motion made by Mr. Steingart and seconded by Mr. Rieber, the meeting adjourned at 12:48PM.

Respectfully submitted:
Julio Garaicoechea, Project Manager

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